

Message

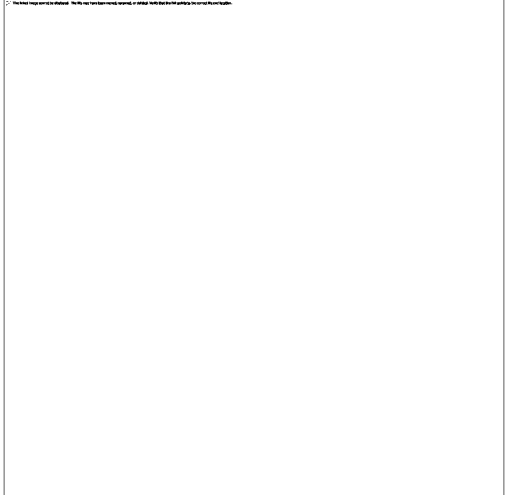
From: Brian Mannix [BMannix@aol.com]
Sent: 4/23/2018 6:39:43 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Fw: Transition Update #66 Week of April 15-21, 2018

Brittany,

Good to see you today. FYI, below is a sample of the EPA Alumni Association's "Transition Update" newsletter.

Best,
Brian Mannix

From: EPA Alumni Association
Sent: Sunday, April 22, 2018 10:19 PM
To: bmannix@aol.com
Subject: Transition Update #66 Week of April 15-21, 2018



Transition Update #66
Week of April 15-21, 2018

Annual Meeting - May 11, 2018

Our DC Annual Get Together is scheduled for Friday, May 11, 2018 from 5:00 PM to 8:30 PM EDT. The meeting will be held at:

The Offices of Sidley Austin
1501 K Street, NW,
Concourse Level
Washington, DC 20005

[More Information about Annual Meeting](#)

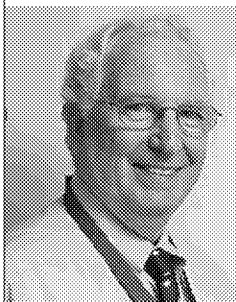
[Online Registration for Annual Meeting](#)

Linda Fisher, Mike Walsh, and Elizabeth Shogren will talk about EPA's future.



Linda J. Fisher

Linda was Chief of Staff to Administrator Lee M. Thomas and was Assistant Administrator for Policy, Planning and Evaluation. In the George W. Bush Administration she served as Assistant Administrator Pesticides and Toxic Substances. She was Deputy Administrator in the George H.W. Administration. Linda retired as the Vice President for Safety, Health, and Environment and Chief Sustainability Officer for DuPont.



Mike Walsh

Mike Walsh is the Founding Chairman and currently Adviser to the International Council on Clean Transportation. Mike was previously EPA DAA for Mobile Sources and served in New York's pollution control office.



Elizabeth
Shogren

Elizabeth Shogren is a reporter for the Center for Investigative Reporting, covering science issues. She was previously a correspondent for High Country News. She covered environmental issues for NPR and before that, for the LA Times where she was also the network's Moscow correspondent.

Nominees and Appointments

Awaiting Hearings - Peter Wright and Charles McIntosh

William Charles McIntosh - announced by the White House as the nominee to be Assistant administrator for international and tribal affairs on March 23rd. The formal appointment was received and referred to the Environment and Public Works Committee on April 9th.

Mr. McIntosh ran Ford's environmental compliance and policy divisions from 1998 until he retired last year. Before Ford, he worked for Michigan Gov. John Engler as his Environmental and Natural Resources Advisor, where he was involved in comprehensive environmental statutory and regulatory reform. He also worked as the deputy director of the Michigan Department of Environmental Quality, where he was responsible for programs, implementing regulatory reform, and criminal investigations.

Peter Wright - On March 6th, the nomination of Peter Wright to be the Assistant Administrator for Land and Emergency Management was received from the White House and immediately referred to the Senate Environment and Public Works Committee. No hearing is scheduled at this time.

Open Positions

The [Washington Post Appointment Tracker](#) shows the following positions at EPA with no one currently nominated or confirmed.

- Assistant administrator for chemical safety and pollution prevention
- Assistant administrator for environmental information
- Assistant administrator for research and development
- Assistant administrator for administration and resources management

April 16, 2018

GAO found that the EPA violated the Antideficiency Act by spending more than the amount Congress approved.

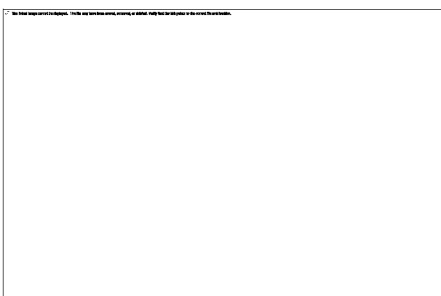
The Government Accountability Office found that the EPA violated the Financial Services and General Government Appropriations Act by spending more than \$5,000 on the phone booth without notifying Congress.

GAO did not rule on the phone booth's necessity, but said its construction qualified as a furnishing under federal statute, meaning the "EPA was required to notify the appropriations committees of its proposed obligation."

The GAO also found that the expenditure violated the Antideficiency Act by spending more than the amount Congress approved.

Huffington Post: GAO found that the EPA violated the Antideficiency Act by spending more than the amount Congress approved.

April 16, 2018
**Farm Bill Would Remove ESA Consideration from
EPA Pesticide Decisions**



A provision in the 2018 farm bill would allow EPA to approve pesticides without undertaking reviews now required to protect endangered species. Environmental groups say the provision is an "unprecedented" attack that could have lasting ramifications for ecosystems across the nation.

The bill would allow the EPA to skip consultations with agencies that include the Interior Department's Fish and Wildlife Service and the

National Marine Fisheries Service, which oversee the implementation of Endangered Species Act protections, and opponents have said that it would gut protections for endangered species.

In a December 2017 report, the National Marine Fisheries Service said pesticides like chlorpyrifos, malathion, and diazinon threaten a number of marine animals, including some that are protected, as well as the predators that prey on them. Some types of protected salmon, butterflies and all kinds of pollinators could be harmed by toxic pesticides applied without proper review, advocates worry.

"It's a poison-pill rider in the most literal and unfortunate way," said Jordan Giaconia, federal policy associate for defense at the Sierra Club. It takes just one harmful chemical to be injected into the ecosystem to cause widespread damage, he said. "The ramifications are pretty far reaching."

Republicans on the House Agriculture Committee see the language as a "commonsense reforms" to an "onerous and conflicting" consultation process that needs to be modernized, according to a summary provided by the panel's majority.

Roll Call: EPA Pesticide Approval Without Endangered Species Review in Farm Bill

April 17, 2017
**Human role in climate change removed from
National Park Service science report**

The National Center for Investigative Reporting published a long story on the editing of a National Park Service report on sea level rise and storm surge for apparently political purposes.

National Park Service officials have deleted every mention of humans' role in causing climate change in drafts of a long-awaited report on sea level rise and storm surge, contradicting Interior Secretary Ryan Zinke's vow to Congress that his department is not censoring science.

The research for the first time projects the risks from rising seas and flooding at 118 coastal national park sites, including the National Mall, the original Jamestown settlement and the Wright Brothers National Memorial. Originally drafted in the summer of 2016 yet still not released to the public, the National Park Service report is intended to inform officials and the public about how to protect park resources and visitors from climate change.

Reveal from The Center for Investigative Reporting obtained and analyzed 18 versions of the scientific report. In changes dated Feb. 6, a park service official crossed out the word "anthropogenic," the term for people's impact on nature, in five places. Three references to "human activities" causing climate change also were removed.

The 87-page report, which was written by a University of Colorado Boulder scientist, has been held up for at least 10 months, according to documents obtained by Reveal. The delay has prevented park managers from having access to the best data in situations such as reacting to hurricane forecasts, safeguarding artifacts from floodwaters or deciding where to locate new buildings.

Examples of changes are:

Zinke testified at a Senate committee hearing last month that the Interior Department has not changed any scientific documents.

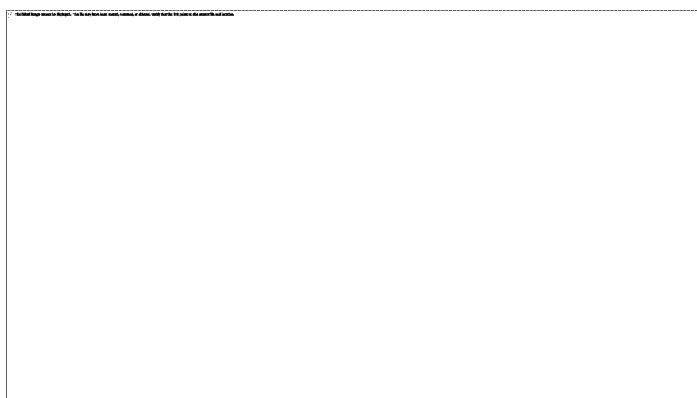
"There is no incident, no incident at all that I know that we ever changed a comma on a document itself. Now we may have on a press release," Zinke told the senators. "And I challenge you, any member, to find a document that we've actually changed on a report."

Zinke's office did not respond to a request for comment by the the Center for Investigative Reporting.

Reveal: Wipeout: Human role in climate change removed from science report

April 18, 2018

Trump's EPA quietly revamps rules for air pollution



The Hill describes several industry friendly actions that EPA is taking that will result in more industry friendly air permitting.

In a move announced in December, the EPA will no longer "second guess" companies' calculations of their expected pollution output after certain big projects under a New Source Review. Under the policy, EPA will usually not take action against a company for its calculations if they turn out to be wrong and emissions are higher than estimated.

The EPA will also now allow industry to mover from major sources to minor sources if emissions drop enough. This ends the "once in, always in" policy for major sources.

EPA is also poised to allow project netting" when applying for permits for major projects under the New Source Review program. That means companies can use a more industry-friendly emissions calculation when they argue that a particular project would reduce emissions.

The Hill: Trump's EPA quietly revamps rules for air pollution

April 16, 2018

Letter to the New Yorker editor from William Ruckelshaus

Pruitt vs. the E.P.A.

Margaret Talbot's article about Scott Pruitt paints a scathing picture of his assault on the Environmental Protection Agency ("Dirty Politics," April 2nd). I was the first, and then the fifth, administrator of the agency. The environment

is far healthier today than it was forty-seven years ago, when the E.P.A. was created, precisely because of the science-based standards that the agency implemented. Pruitt is systematically attacking both the E.P.A.'s budget and its scientific framework. If he is successful, the very reason for the E.P.A.'s creation-illness and disease from pollution-will reëmerge, and we will have to start from square one. The country must challenge the Trump Administration's war on science. Otherwise, as a result of actions taken by Pruitt and this Administration, the uncontrolled pollution that we have greatly reduced in the past five decades will return.

William D. Ruckelshaus
Seattle, Wash.

[Link to the New Yorker Letters to the Editor](#)

[The New Yorker: Scott Pruitt's Dirty Politics by Margaret Talbot](#)

April 19, 2018

Libertarian economist at George Mason finds that federal regulations not are strangling the economy

For at least the last 40 years, conservative politicians have been arguing that Federal regulations are strangling the economy. Alex Tabarrok set out to it. That's not what he found.

When Tabarrok and his former grad student Nathan Goldschlag set out to measure how federal regulations impact business growth, they were sure they'd find proof that regulations were dragging down the economy. But they didn't. No matter how they sliced the data, they could find no evidence that federal regulation was bad for business.

For his first paper using a new public database, RegData, Tabarrok decided to analyze the effect of federal regulation on "economic dynamism"-a catch-all term referring to the rate at which new businesses launch and grow, and at which people switch jobs, lose jobs, or migrate for work. There has been a notable and somewhat mysterious decline in dynamism over the last few decades. The rate at which start-ups form is half of what it was forty years ago, the fraction of workers who bounce from one job to another-a sign of competitive labor markets-has plunged, productivity has slowed, and adult employment remains well below its early-2000 peak.

Armed with RegData, Tabarrok and his co-author, Nathan Goldschlag, set out to show that regulations were at least partly to blame. But they couldn't. There was simply no correlation, they found, between the degree of federal regulation and the decline of business dynamism. The decline was seen across many different industries, including those that are heavily regulated and those that are not. They tried two other independent tests that didn't rely on RegData, and came to the same conclusion: an increase in federal regulation just could not explain what was going on.

An idea that is gaining attention, is that rising corporate concentration may be a more likely cause of decreased dynamism in the economy.

April 20, 2018
'A factory of bad ideas':
How Scott Pruitt undermined his mission at EPA

Has the thread connecting Scott Pruitt to his job just frayed a bit. With all the negative press attention he has attracted, many speculate that Pruitt only holds onto his job because he is doing what Trump wants him to do, and so Trump has been willing to keep him in his job. However, now that Andrew Wheeler has been confirmed as the Deputy Administrator, this Washington Post article speculates that he may be just one bad headline away from dismissal. it says:

"The low-key Wheeler - a former staffer in EPA and the Senate - was sworn in Friday, and his arrival could make Pruitt expendable should more embarrassing revelations surface, according to people inside and outside the administration."

Washington Post: A factory of bad ideas: How Scott Pruitt undermined his mission at EPA

April 20, 2018
Lamar Smith pitched Pruitt on 'secret science.'
Now it's happening

This article in E&E News is another on Pruitt's ban on the use of "secret science" in EPA decision making. As used by people pushing the policy, "secret science" is anything where any data is not available to the public. This includes medical or health studies where the names and other confidential information of people studied is not available.

In addition to discussing how this is being implemented at EPA, the article notes that Nancy Beck, the AA for Chemical Safety and Pollution Prevention, has raised concerns about the effects of the policy on pesticides registrations and TSCA implementation. She notes that a requirement that underlying data be published would require a whole new arm of the publishing industry. Publication is very different than making the data available to other "legitimate researchers" and requiring publication would be very expensive.

There is also the issue of dealing with confidential business information (CBI). It would appear that information submitted as CBI could not be used in EPA decision making under the policy.

Beck came to EPA from the American Chemistry Council, and thus may be more sensitive to industry concerns about cost and CBI than people with strictly political backgrounds.

E&E News: Smith pitched Pruitt on 'secret science.' Now it's happening

April 20, 2018
**Pruitt has "walked away 100 percent" from
EPA job, says Michael Bloomberg**

Very interesting interview with Michael Bloomberg on Face the Nation on April 15th.

"His policies are not good for the world. To debunk science and walk away from it is just ridiculous. Even if you don't believe it. If there's a possibility that it's right you have to take prophylactic actions to prevent a disaster," Bloomberg told "Face the Nation" moderator Margaret Brennan.

With the support of President Trump, Pruitt's agency has gutted the core of climate change regulations, arguing the move would restore lost coal jobs and reduce electricity rates.

"His job is to protect the environment and he has walked away 100 percent from that saying the environment doesn't need protection, I'm going to protect jobs," Bloomberg said, "that's not his job."

CBS News: Pruitt has "walked away 100 percent" from EPA job, says Michael Bloomberg

April 21, 2018
**Scott Pruitt Before the E.P.A.:
Fancy Homes, a Shell Company and Friends With Money**



Another story on Scott Pruitt's ethically questionable dealings, this one going back to his time as a state senator in Oklahoma.

Washington Post: Scott Pruitt Before the E.P.A.: Fancy Homes, a Shell Company and Friends With Money

April 19, 2018
Trump's EPA argues more people will die in car accidents

unless California fuel rules are weakened



According to the LA Times, the EPA under Scott Pruitt is taking a cue from auto dealers and free-market think tanks skeptical of mainstream global-warming science and tossing aside reams of federal and California data showing the fuel economy standards are perfectly safe. Instead, Pruitt's directive this month to potentially scale back the fuel standard says "an important factor" is the need to reexamine safety issues.

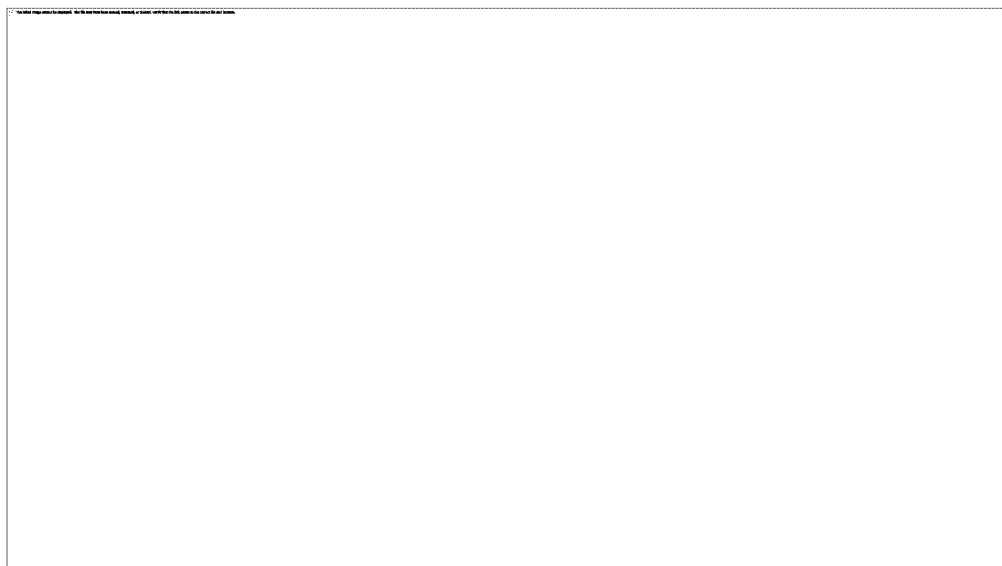
The agency is preparing to make the case that tough fuel economy rules could effectively force automakers to sell smaller, lighter and thus less crash-worthy vehicles. That, in turn, would lead to more crash-related deaths. And it warns the rules could drive up the cost of cars to the point that consumers will put off buying new, safer models equipped with life-saving technology improvements.

This effectively ignores what has actually happened. In spite of much higher fuel economy averages and much higher populations, traffic deaths are down from over 54,000 per year in the early 1970s to about 37,00 in 2016 (up from less than 33,000 in 2010 and 2011). Deaths per million vehicle miles traveled have fallen from 4.74 in 1970 to 1.18 in 2016. So higher mileage standards have not resulted in more dangerous cars.

LA Times: Trump's EPA argues more people will die in car accidents unless California fuel rules are weakened

April 20, 2018

If you are deciding where to go for your next vacation, read this:
14 Places Most Affected by Climate Change



How many of these places have you been? All are threatened by climate change, either by warming changing their local environment, or sea level rise flooding them, but they may cease to exist as they do now during our children's or grandchildren's lifetime. In some cases, other human intervention is exacerbating the problem (e.g. taking water for irrigation and consumption has reduce inflow of water to the Dead Sea to 5% of what it used to be.)

Conde Naste Traveler: 14 Places Most Affected by Climate Change

Other News Of Interest

Reminder: Voting for Members of the EPA-AA Board is now Open.
Candidate Statements and a link to the ballot were emailed on March 30, 2018

EPA Alumni Association Job Center - Our new Job Center (linked below) features jobs that employers have listed specifically aimed at current EPA employees and alumni. In addition, we provide links to over 1000 external job banks that are offering environmentally-relevant jobs. Please help us make our Job Center a success by:

- Telling prospective employers about the opportunity to list their jobs for free, and
- Tell current employees and alumni about the Job Center and ask them to help spread the word.

[Link to Job Center Web Site](#)

Major EPA Rules Open for Comment

Save EPA (<http://www.saveepaalums.info/>) is tracking significant rules open for public comment. They also have, for each of the rules, prepared suggested comments to help a commenter prepare their own comments and submit them to EPA. They also have prepared a "A PRACTICAL GUIDE FOR RESISTING THE TRUMP DE-REGULATORY AGENDA," that can be found at at this link:
[A PRACTICAL GUIDE FOR RESISTING THE TRUMP DE-REGULATORY AGENDA](#)

STATUS OF EPA AND CLOSELY RELATED RULES TARGETED FOR ROLLBACK

The link leads to a list of EPA and other agencies enviromental rules that are targeted for rollback by the Trump administration. Agencies include EPA, DOE, BLM, and NHTSA.

[Status of Rule Rollback Proposals](#)

HEATH AND ENVIRONMENTAL SAFEGUARDS FOR COAL ASH DISPOSAL

Deadline for public comment: April 30, 2018

Public Hearing: April 24, 2018

Start time: 9 a.m. (EDT)

**Location: DoubleTree by Hilton Hotel,
300 S Army Navy Drive,
Arlington, Virginia 22202**

Coal ash (or coal combustion residuals, CCR) is one of the largest categories of industrial waste in the United States. Created when coal is burned by utilities to produce electricity, coal ash includes mercury, arsenic and other hazardous contaminants. According to the EPA, 470 power plants generated about 110 million tons of coal ash in 2012. When not managed properly, the storage and disposal areas for coal ash can pose serious environmental and health risks. For example, a 2008 spill in Tennessee and another spill in 2014 in North Carolina had devastating impacts on watersheds, nearby homes, and public health. As of 2014, there have been 208 known cases of coal-ash spills and contamination.

In 2015, the EPA issued regulations to reduce the risks of coal ash disposal by requiring monitoring and corrective action for leaks into the groundwater and air; setting restrictions for where coal ash landfills and surface impoundments could be located; and creating liner design criteria for these disposal units. The rule also set out recordkeeping and reporting requirements to better inform the public of the risks and closure requirements for old disposal units. In 2016, Congress passed the Water Infrastructure Improvements for the Nation (WIIN) Act, which provided enforcement authority to the states and federal government over these facilities. Trump Proposal to Roll Back Coal Ash Rule

In response to requests from the utility industry, the Trump Administration is proposing the first of two rules that would weaken several provisions of the 2015 coal ash rule. This proposal would "incorporate flexibilities" into the performance standards for these disposal units, essentially letting states take actions that set less stringent standards for cleanup, groundwater monitoring, and siting of disposal facilities.

More specifically, the rule would allow states to set less strict groundwater standards for certain contaminants rather than cleaning up to background levels. States would also be able to determine that remediation of spills and leaks would not be necessary in certain circumstances. Groundwater monitoring could be modified and, in some cases, suspended if a demonstration could be made that there is no migration of pollutants. The rule would also allow states to reduce the time currently required to monitor corrective actions and post-closure of sites. It would also allow the use of coal ash in construction of cover systems for disposal units.

The proposed rule also responds to various issues remanded by a court in 2016. For example, it adds boron to the list of contaminants that must be monitored and it clarifies the types of woody and grassy vegetation that can be used for slope protection.

Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Amendments to the National Minimum Criteria (Phase One); Proposed Rule

[EPA Web Site for Coal Ash \(Lots of links\)](#)

BLM METHANE AND WASTE PREVENTION RULE

Deadline for public comment: April 23, 2018

The Bureau of Land Management (BLM) issued a rule in November 2016 to reduce waste of natural gas from flaring, venting, and leaks from oil and gas production on public and tribal lands. The requirements are designed to limit waste of federal natural gas resources and avoid loss of royalty payments to federal, state and tribal governments for the sale of their resources. The rule has the additional benefit of reducing air pollutant emissions that drive smog and climate change. Methane is the dominant component of natural gas. The rule replaced old and ineffective regulations that had not been updated in nearly 40 years.

[BLM Methane and Waste Prevention proposed rule rollback at Regulations.gov](#)

[Rule in Federal Register](#)

REPEAL OF THE CLEAN POWER PLAN

Deadline for Public Comment Extended: April 26, 2018

A public hearing was held on November 28 and 29, 2017, in Charleston, WV. EPA has announced three additional "listening sessions":

- February 21, 2018 - Kansas City, MO
- February 28, 2018 - San Francisco, CA
- March 27, 2018 - Gillette, WY

On October 16, 2017, The EPA proposed to repeal the Clean Power Plan that was finalized on October 23, 2015. The basis for the repeal is a revised interpretation Section 111(d) of the Clean Air Act (CAA) that says that EPA does not have the authority to regulate carbon dioxide emissions under the CAA. In particular, the Trump administration interpretation of the CAA is that only changes made at the fossil fuel plants themselves (inside the fence line) are consistent with the language of the Clean Air Act. Therefore, the Administration says that only "inside the fence line" actions should be used to set standards under the Clean Air Act even though, those changes are relatively expensive for the minimal amount of CO2 emissions they reduce.

When issuing the CPP in 2015, EPA recognized that the power generation system in the United States is interconnected, and reasoned that the "best system of emission reduction" would include both making individual plants more efficient, and substituting increased generation from lower-emitting or zero-emitting plants - such as natural-gas-fired plants and solar and wind generation - for some higher-emitting fossil-fuel-fired generation. These emission reduction methods are reflected in the CPP's power plant CO2 emission rates and corresponding state emission goals.

[Save EPA's rule discussion and suggested comments](#)

Proposed Rule in the Federal Register

Air Pollution Controls for the Oil and Gas Sector - Existing Equipment

Deadline for Public Comment: April 23, 2018

The Trump EPA has proposed to withdraw guidelines that assist states in controlling air pollution from the oil and natural gas industry and trigger related clean air planning requirements in many areas with ozone smog problems. The withdrawal would set back efforts to control air pollution from existing equipment in the oil and gas industry.

EPA says the oil and gas sector is the largest industrial source of emissions of volatile organic compounds (VOCs), a group of chemicals that react in the atmosphere to form ground-level ozone (smog). Exposure to ozone is linked to a wide range of health effects, including aggravated asthma, increased emergency room visits and hospital admissions, and premature death.[i]

If left in place, EPA estimates, the guideline would result in pollution reductions each year of more than 64,000 tons of smog-forming VOCs, nearly 200,000 tons of climate-changing methane, and 2,400 tons of hazardous air pollutants linked to a variety of serious health effects.

This weekly summary of news about the transition at EPA is sent only to Alumni Association members who have subscribed. If you decide you no longer wish to receive these newsletters, please drop us a note at

<mailto:newsletter@epaalumni.org>

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